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California Regional Water Quality Control Board

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Arnold Schwarzenegger
Governor

April 21, 2006

NOTICE OF PUBLIC HEARINGS
NOTICE OF FILING A DRAFT ENVIRONMENTAL DOCUMENT
For Amendments to the
Water Quality Control Plan for the San Francisco Bay Basin
Related to Mercury in San Francisco Bay

NOTICE IS HEREBY GIVEN that the San Francisco Bay Regional Water Quality Control Board ("Water Board") will consider amendments to the Water Quality Control Plan for the San Francisco Bay Basin ("Basin Plan"). Specifically, the Water Board will consider:

- Revising portions of a Basin Plan amendment it previously adopted to establish a total maximum daily load ("TMDL") and an implementation plan for mercury in San Francisco Bay. The revisions include, among other things, revising the TMDL from 706 kg to 700 kg, proposing a differently expressed wildlife target, proposing more stringent wasteload allocations for wastewater with interim and final implementation schedules, correcting the wasteload allocations for industrial wastewater, and requiring additional implementation actions.
- Adopting new water quality objectives for mercury in fish tissue to protect human health and wildlife and vacating the Basin Plan's existing total marine mercury water quality objective applicable north of the Dumbarton Bridge.

On September 15, 2004, the Water Board adopted Resolution No. R2-2004-0082 amending the Basin Plan to establish a mercury TMDL and implementation plan for San Francisco Bay (the "Mercury TMDL Amendment"). On September 7, 2005, the State Water Resources Control Board adopted Resolution No. 2005-0060 ("Remand Order") remanding the Mercury TMDL Amendment to the Water Board for further consideration consistent with the Remand Order. The proposed revisions to the Mercury TMDL Amendment and the proposed new water quality objectives for mercury to be considered by the Water Board are in response to the Remand Order.

Action on the proposed revisions to the Mercury TMDL Amendment and the proposed new water quality objectives will be taken in accordance with a regulatory program certified under Section 21080.5 of the Public Resources Code as exempt from the requirement to prepare an environmental impact report under the California Environmental Quality Act (Public Resources Code Section 2100 et seq.) and with other applicable laws and regulations.

There will be two public hearings on the proposed amendments:

DATES: June 14, 2006
August 9, 2006

TIME: 9:00 a.m. (approximate)

LOCATION: Elihu M. Harris State Building
First Floor Auditorium
1515 Clay Street
Oakland, California 94612

STAFF
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OTHER
MATERIALS: The proposed Basin Plan amendments and supporting staff report and other documentation will be available online April 21, 2006 at 5:00 PM. Hard copies will also be available by contacting Terry Adams at (510) 622-2306 or tadams@waterboards.ca.gov.

The 45 day public comment period for the proposed amendments expires on **June 5, 2006**. All written comments on the proposed amendments and evidence, testimony and exhibits to be offered at the June hearing are due by this date to the staff contact identified above. **Comments on the proposed revisions to the Mercury TMDL Amendment are limited only to those issues identified in the Remand Order and the revisions being proposed.** The proposed new water quality objectives for mercury is a new standards action and the Water Board will accept all comments relating to the new water quality objectives. Non-evidentiary policy statements to be made at the June hearing need not be submitted in advance.

The Water Board will receive oral public testimony on the proposed amendments at the June hearing. At the conclusion of the June hearing, the Water Board may recommend staff prepare for its consideration at the subsequent hearing changes to the proposed amendments in response to written comments and the testimony received.

The Water Board will not take action until the August hearing. Water Board staff will release any proposed changes to the proposed amendments prior to the August hearing. Oral public testimony at the August hearing will be limited to comments on changes to the proposed amendments the Water Board or its staff may propose after releasing the April 21 version. At the conclusion of the August hearing, the Water Board will consider adoption of the proposed amendments, or changes to the proposed amendments that are consistent with the general purpose of the proposed amendments and are a logical outgrowth of the evidence and testimony received.

The public hearings will be conducted in accordance with 23 Cal. Code of Regs. § 649.3. Time limits may be imposed on oral testimony at the public hearings; groups are encouraged to designate a spokesperson. All exhibits presented at the hearing, including charts, graphs, and other testimony must be left with the Water Board. They will become part of the administrative record.

A map and directions to the hearing are available online at www.waterboards.ca.gov/sanfranciscobay/

direction.htm. The location of the hearings is accessible to persons with disabilities. Individuals who require special accommodations are requested to contact Executive Assistant Mary Tryon, (510) 622 2399, mtryon@waterboards.ca.gov, at least five (5) working days before a meeting. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.

Bruce H. Wolfe
Executive Officer